

IN THE SENATE OF THE UNITED STATES.

MAY 14, 1896.—Ordered to be printed.

Mr. COCKRELL, from the Committee on Military Affairs, submitted the following

REPORT:

[To accompany H. R. 1601.]

The Committee on Military Affairs, to whom was referred the bill (H. R. 1601) to amend the military record of John S. Evans, have duly considered the same and submit the following report:

Your committee have carefully considered the facts in this case and find that they are correctly set forth in House Report No. 366, Fifty-fourth Congress, first session, made on this bill, and, for the reasons therein stated, report the bill back to the Senate and recommend its passage.

Said report is as follows:

The Committee on Military Affairs, to whom was referred the bill (H. R. 1601) to amend the military record of John S. Evans, have had the same under consideration and report it back with a recommendation that it do pass.

John S. Evans was a private in Company E, Twenty-seventh Ohio Volunteers, mustered in October, 1861, to serve three years. In September, 1863, he was sentenced for mutinous conduct by court-martial to Alton, Ill., with forfeiture of all pay and allowances. He was discharged from the service October 1, 1864.

The circumstances of his arrest are related in the following extract from a letter by Col. M. Churchill, formerly of the Twenty-seventh Ohio Volunteers, and dated Zanesville, Ohio, October 29, 1895, and addressed to John S. Evans at his home in George, Iowa:

"During the summer of 1863, while the Twenty-seventh Ohio Volunteer Infantry was encamped in the suburbs of the city of Memphis, Tenn., I then being the major of the regiment and in command of it at that time, the enlisted men of said regiment undertook, through a show of violence or insurrection, to disturb or break up a dance near the camp which was largely attended by the commissioned officers of the regiment. This attempt was quickly suppressed, and John S. Evans, Adon Cecil, and one other whose name I can not now recall, all privates of Company E of said regiment, were arrested, charges preferred against them, tried by court-martial, convicted, and sentenced to be dishonorably discharged from the service and confined during the remainder of their term of enlistment in the Alton, Ill., penitentiary.

"Whether these sentences were fully executed I have no means of knowing. But this I do know, that up to the time of the difficulty above indicated, these men were good and reliable soldiers, discharging faithfully every duty imposed upon them; and I also knew that perhaps one hundred or more of the other enlisted men of the regiment were quite as deeply involved and guilty as were the three privates before mentioned, but it so happened that none of them were arrested, excepting the three before named, and who, having rested under the odium attached to their trial and conviction for all these years, I think it is but just that they should now have this stigma removed from their otherwise good soldierly record, and that they be restored to the rolls and be granted an honorable discharge from the service."

This statement from Colonel Churchill is supported by other evidence that has been brought to the attention of your committee.

The committee has also received evidence showing the good character of Mr. Evans. A petition, generally signed by the citizens of his community, indorses Mr. Evans as "an industrious, honest, and moral man, and a man of good standing in the community." Like report is made from communities in which Mr. Evans formerly resided, and it seems to your committee that his good character is established.

The report of the War Department on this case, on file with the committee, simply gives the record of the soldier, the finding of the court-martial, and the orders promulgating the sentence.